

Public Notice – Approval of Water Quality Management Planning Actions

Notice of action: The State Water Control Board (Board) is considering the approval of four TMDL implementation plans (TMDL IPs) and granting authorization to include the TMDL implementation plans in the appropriate Water Quality Management Plans (WQMPs).

Purpose of notice: The Board is seeking comment on the proposed approvals and authorizations. The purpose of these actions is to approve four TMDL IPs as Virginia's plans for the management actions necessary for attainment of water quality goals in several impaired waterbodies. These actions are taken in accordance with the Public Participation Procedures for Water Quality Management Planning.

Public comment period: March 3, 2008 to April 2, 2008

Description of proposed action: DEQ staff intends to recommend 1) that the DEQ Director approve the TMDL IPs listed below as Virginia's plans for the management actions necessary for attainment of water quality goals in the impaired segments, and 2) that the DEQ Director authorize inclusion of the TMDL IPs in the appropriate WQMPs. No regulatory amendments are required for these TMDL IPs.

At previous meetings, the Board voted unanimously to delegate to the DEQ Director the authority to approve TMDL implementation plans, provided that a summary report of the action the Director plans to take is presented to the Board prior to the Director approving the TMDL IPs. The TMDLs IPs included in this public notice will be approved using this delegation of authority.

The TMDL IPs listed below were developed in accordance with the 1997 Water Quality Monitoring, Information and Restoration Act (WQMIRA, §62.1-44.19:4 through 19:8 of the Code of Virginia) and federal recommendations. The TMDL IPs were developed in accordance with DEQ's Public Participation Procedures for Water Quality Management Planning. Extensive public participation was solicited during the development of the plans, and the public comment process provided the affected stakeholders with opportunities for comment on the proposed plans. The final TMDL IPs can be found at

<https://www.deq.virginia.gov/TMDLDataSearch/ReportSearch.aspx>

Affected Waterbodies and Localities:

In the New River Basin:

1. *“Back Creek Watershed TMDL Implementation Plan”* – proposes management actions needed to restore the primary contact (swimming) use and restore the benthic community in Back Creek, Pulaski County

In the Tennessee Big Sandy River Basin

2. *“Upper Clinch River TMDL Implementation Plan”* – proposes management actions needed to restore the benthic community in the Upper Clinch River, Tazewell County
3. *“Knox and PawPaw Creeks TMDL Implementation Plan”* – proposes management actions needed to restore the primary contact (swimming) and the benthic community in Knox and PawPaw Creeks, Buchanan County
4. *“Beaver Creek TMDL Implementation Plan”* – proposes management actions needed to restore the primary contact (swimming) use and restore the benthic community in Beaver Creek, Washington County

How to comment: The DEQ accepts written comments by e-mail, fax and postal mail. All written comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 5 p.m. on the last day of the comment period.

How a decision is made: After comments have been considered, the board will make the final decision.

To review documents: The TMDL implementation plans are available on the DEQ web site at <https://www.deq.virginia.gov/TMDLDataSearch/ReportSearch.aspx> and by contacting the DEQ representative named below. The electronic copies are in PDF format and may be read online or downloaded.

Contact for public comments, document requests and additional information:

David S. Lazarus; Department of Environmental Quality, P.O. Box 1105, Richmond, VA 23218

Phone: (804) 698-4299 E-mail: dslazarus@deq.virginia.gov FAX: (804) 698-4116